

Notice of Allowability

Application No.

10/612,974

Applicant(s)

MOULI, CHANDRA

Examiner

Evan Pert

Art Unit

2826

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed June 14, 2006.
2. ☒ The allowed claim(s) is/are 1-52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

DETAILED ACTION

Election/Restrictions

1. The restriction requirement imposed by the previous examiner of record is withdrawn. The election with traverse in the paper dated November 2004 is moot.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows, not altering scope, but clarifying that that the preambles in the claims are given significant patentable weight [see MPEP 2111.02]:

In claim 1, line 2, after "strained silicon layer" insert –in said at least one pixel cell--.

In claim 10, line 2, after "strained silicon layer" insert –in said at least one pixel cell--.

In claim 17, line 2, after "strained silicon layer" insert –in said at least one pixel cell--.

In claim 24, line 3, after "strained silicon layer" insert –in said at least one of said pixel cells--.

In claim 35, line 5, after "strained silicon layer" insert –in said at least one of said pixel cells--.

In claim 39, line 3, after "strained silicon layer" insert –in said pixel cell–.

In claim 49, line 2, after "strained silicon layer" insert –in said at least one pixel cell--.

In claim 51, line 3, after "strained silicon layer" insert –in said pixel cell--.

Allowable Subject Matter

3. Claims 1-52 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose or suggest the claimed invention characterized by a strained *silicon* layer in a pixel cell at an upper portion of a semiconductor substrate. Prior art cited, such as WO 02/033755 in the International Search Report, does not disclose a *strained silicon* layer, but rather epitaxially grown compositions, such as SiGe or SiGeC, the layers being strain compensated [e.g. p. 9, 25-35]. An SiGe layer is not a "strained silicon layer" as in applicant's invention where a strained *silicon* layer is grown on a base layer of SiGe, for example.

The idea of a strained silicon layer in the pixel cell at an upper portion of the substrate is not suggested in the prior art, and provides an advantage of better wavelength response, especially with respect to blue response.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan Pert whose telephone number is 571-272-1969. The examiner can normally be reached on M-F (7:30AM-3:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ETP
August 16, 2006


EVAN PERT
PRIMARY EXAMINER